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NOTE VERBALE DATED 5 FEBRUARY 1993 FROM THE PERMANENT MISSION OF BULGARIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

The Permanent Mission of the Republic of Bulgaria to the United Nations presents its compliments to the President of the United Nations Security Council and has the honour, through the President, to raise the following questions before the Security Council with a view to improving the coordination of efforts for the strict observance of the sanctions regime on the Danube.

- Regarding the recent flagrant violations of Security Council resolutions by Yugoslav vessels carrying oil to Serbia by way of the Danube, is there a clear mandate stipulated in Security Council resolution 787 (1992), paragraph 13, for the use of armed force in order to enforce the provisions of the resolution and under what circumstances could such a measure be applied?

- What is the interrelation between resolution 787 (1992), paragraph 13, and Chapter VII of the Charter of the United Nations, in particular Articles 41 and 42? It is our understanding that resolution 787 (1992), paragraph 13, is based on Article 41, which deals with measures not involving the use of armed force. The legitimacy and the mechanisms for undertaking military actions are comprehensively specified in Chapter VII of the Charter. Any military actions by a State Member of the United Nations should be based on the provisions of this Chapter.

- In case Bulgaria unilaterally undertakes military actions in implementation of the Security Council resolutions, what kind of guarantees would be provided by the Council for the security, sovereignty and territorial integrity of Bulgaria?

- If, as a result of enforcement actions, pollution of the waters, river-banks and the environment of the Danube and the Black Sea should occur, what would the readiness be on the part of the international community to share the responsibility as well as the financial burden that the rehabilitation works would place on the riparian States? In such

circumstances Bulgaria would also need additional assistance owing to the necessity of an emergency shutdown of the Kozloduy Nuclear Power Station, located on the bank of the Danube and in proximity to the Bulgarian-Serbian border.

- The recent incidents involving Serbian tugboats towing allegedly prohibited petroleum products on the Danube have demonstrated that there is no efficient international mechanism for ensuring the strict observance of resolution 787 (1992). What is the view of the Security Council regarding possible deployment of United Nations sanctions enforcement units at the Danube delta and along the Bulgarian and the Romanian banks of the river, as well as sending ships under the United Nations flag, with the mandate to undertake enforcement measures, including the use of military force, in order to effectively ensure the implementation of the Security Council sanctions against Serbia and Montenegro? Bulgaria is ready to assist in the deployment of such a contingent along the Bulgarian bank of the Danube.